

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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In Re: CATERPILLAR, INC., C13  
AND C15 ENGINE PRODUCTS  
LIABILITY LITIGATION

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HONORABLE JEROME B. SIMANDLE

MDL No. 2540

Master Docket No.  
1:14-cv-3722 (JBS-JS)

**ORDER**

The Court held oral argument on January 27, 2017 on motions to opt out of or enforce the Final Approval Order and Judgment entered on September 20, 2016 against parties to three actions pending in the Texas state court against Caterpillar Inc.; for the reasons stated upon the record and for good cause shown,

IT IS this 27th day of January, 2017, hereby

**ORDERED** that Caterpillar Inc.'s motion to enforce the Final Approval Order and Judgment and for a Permanent Injunction Against Red Watson Logging, Inc. [Docket Item 226] is **GRANTED**; and it is further

**ORDERED** that Rush Truck Centers of Texas, L.P.'s motion to intervene for the limited purpose of joining Caterpillar Inc.'s motion to enforce the Final Approval Order and Judgment against the Armatura Plaintiffs [Docket Item 228] is **GRANTED**; and it is further

**ORDERED** that T.W. Hedfelt's motion to intervene for the limited purpose of joining Caterpillar Inc.'s motion to enforce

the Final Approval Order and Judgment against the Armatura Plaintiffs [Docket Item 232] is **GRANTED**; and it is further

**ORDERED** that the Armatura Plaintiffs' motion to seal [Docket Item 236] exhibits to their opposition to Caterpillar Inc.'s motion for settlement is **GRANTED**; and it is further

**ORDERED** that permission is granted to Janie A. Aguiar to supplement her motion to opt out of the class settlement [Docket Item 223] with a factual affidavit which may be accompanied by a letter regarding the limited issue of her physical locations and mailing addresses at all relevant times, to be restricted to four pages and to be submitted no later than February 1, 2017, and that Caterpillar Inc. shall have the opportunity to reply, in a factual affidavit which may be accompanied by a letter restricted to four pages, by no later than February 8, 2017; and it is further

**ORDERED** that if the Armatura Plaintiffs seek to clarify their pleadings in Armatura, LLC Petrochem Transport LLC, Chris Wright, and PTI Logistics, Inc. d/b/a Rio Logistics v. Rush Truck Centers of Texas, L.P. d/b/a Rush Truck Center - Pharr, T.W. Hedfelt, and Caterpillar, Inc., Cause No. 2014-DCL-06908 (404<sup>th</sup> Judicial District Court of Cameron County, Texas), they shall notify this Court by letter within seven days, or by no later than February 3, 2017; and it is further

**ORDERED** that the Court shall reserve decision on Janie A. Aguiar's and the Armatura Plaintiffs' motions to opt out of the class action settlement [Docket Items 223 & 225] and Caterpillar Inc.'s motion to enforce the Final Approval Order and Judgment against the Armatura Plaintiffs [Docket Item 224].

s/ Jerome B. Simandle  
JEROME B. SIMANDLE  
Chief U.S. District Judge